



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

RICK SNYDER
GOVERNOR

MICHAEL P. FLANAGAN
STATE SUPERINTENDENT

June 13, 2014

MEMORANDUM

TO: State Board of Education

FROM: Martin Ackley, Director, Office of Public and Governmental Affairs

SUBJECT: State and Federal Legislative Update

MICHIGAN HOUSE OF REPRESENTATIVES

During the week of May 19th, the House Education Committee reported **HB 5581** (Genetski). The bill would transfer oversight for statewide assessment system to the Department of Treasury. The department testified against the legislation. There has been no further action on the bill.

During the week of June 2nd, the House Education Committee reported the following bills from committee:

SB 66 (Proos) revises the graduation requirements for the Michigan Merit Curriculum. The bill was reported from committee as a substitute S-8.

SB 817 (Pappageorge) delays implementation for performance evaluation requirements for teachers and school administrators to the 2015-2016 school year. The bill passed through the House and Senate chambers on June 12th, and awaits the Governor's action.

SB 644 (Hildenbrand) allows individuals to enroll in certain strict discipline facilities operated by a private agency as opposed to only enrolling due to court orders. The bill passed through the House and Senate chambers on June 12th, and awaits the Governor's action.

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HB 4725 (Olumba) allows youth to live in at-risk boarding schools and public academies. The Department as well as several committee members still have questions regarding funding that were not addressed during committee.

HB 4465 (McBroom) amends the Michigan merit curriculum and graduation requirements so career and technical education credits may be substituted in place of subject area content. The bill passed through the House and Senate chambers on June 12th, and awaits the Governor's action.

HB 4466 (Johnson) amends the Michigan merit curriculum and graduation requirements, including agricultural science as a substitute for chemistry or physics credits. The bill passed through the House and Senate chambers on June 12th, and awaits the Governor's action.

During the week of June 2nd, the House Committee on Elections and Ethics reported **HJR GG** (McBroom) to require members of the State Board of Education be elected from single-member districts as opposed to being elected at large. The joint resolution was reported from committee. There has been no further action on the joint resolution.

MICHIGAN SENATE

During the week of May 19, the Senate Education Committee reported **SB 945** (Caswell). The bill would transfer oversight for statewide assessment to the Department of Treasury. The department testified against the legislation. There has been no further action on the bill.

On May 21st, the Senate Committee on Reforms, Restructuring and Reinventing reported **SB 907** (Caswell) as a substitute S-2. The bill allows for a sunset provision for critical shortage lists.

During the week of May 26, **Senate Bills 949-957** (Financial Independence Team) were referred to the Senate Committee on Appropriations. The package establishes an early warning system for schools in need of a deficit elimination plan, falling into deficit, or headed for dissolution.

During the week of June 2, the Senate Education Committee took testimony only on **HB's 5223** (O'Brien) and **5224** (Zemke) the teacher evaluation legislation.

Joint Meeting of the House Appropriations Subcommittee on School Aid and Senate Appropriations Subcommittee on K-12, School Aid & Education

State Superintendent Mike Flanagan presented the Quarterly Report on Deficit Districts.

Budget Bills

HB 5314, the education omnibus budget passed through both the House of Representatives and Senate chambers on Wednesday, June 11th. There was a \$50 across the board foundation increase for the K-12 budget and an equity payment of up to \$125 provided so some of the lowest spending schools will get a \$175 increase. The budget now awaits the Governor's action.

FEDERAL UPDATE

ED and HHS Launch New "Students in Foster Care" Website

Under the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act), Congress requires that state child welfare agencies receiving funds under Title IV-E of the Social Security Act, and their local educational agencies, include a plan for ensuring the educational stability of children in foster care as part of each child's case plan.

Specifically, the plan must include assurances that:

- Each placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child was enrolled at the time of placement; and
- The SCWA has coordinated with the appropriate LEA(s) to ensure the child can remain in the school in which the child is enrolled at the time of each placement, or, if remaining in that school is not in the best interests of the child, assurances from the SCWA and LEA to enroll the child immediately in a new school, with all of his or her educational records provided to the school.

The Department of Education and Health and Human Services have developed resources and guidance designed to support educators, child welfare professionals, and others in their work to improve the educational outcomes and well-being of students in foster care. The following link provides information on relevant laws, guidance, and technical assistance materials related to educational support for students in foster care.

<http://www2.ed.gov/about/inits/ed/foster-care/index.html>

School Lunch Debate Continues

The House Appropriations Committee passed funding legislation for the U.S. Department of Agriculture (USDA) that would allow a rollback of the new meal standards. Those nutritional requirements, issued in the form of regulations pursuant to the Healthy, Hunger-Free Kids Act of 2010 (HHFKA), were intended to stem the increase in rates of childhood obesity and Type II diabetes.

Following complaints from schools about the new meal standards – which require increased amounts of low-fat foods, vegetables and whole grains as well as decreases in the amount of unhealthy food served – many in Congress have criticized the changes. They also have blamed the new standards for increasing the cost of school meals and the amount of food waste created as students discard unfamiliar or unwanted produce. These allegations are contested by USDA, which says that 90% of schools are successfully meeting the new standards. The proposal rolled out by the House Appropriations Committee would require USDA to create a model waiver process through which States could offer waivers of the standards to schools which show that the new, healthier meals have led to at least six months of net losses in food service programs.

If you have any questions or concerns regarding these or other legislative issues, please contact me at (517) 241-4395.